

REMARKS

Applicant respectfully requests reconsideration of this application. Claims 1-69 are pending. Claims 1, 7, 10, 18, 22, 26, 32, 36, 39, 40, 42, 45, 54-62, and 67 have been amended. Claim 15 has been cancelled without prejudice. Claim 70 has been added. Therefore, claims 1-14 and 16-70 are now presented for examination.

Claim Rejection under 35 U.S.C. §103

Perkowski in view of Henson

The Examiner rejected claims 1-2, 7-12, 18-23, 25-27, 31-35, 43-47, 52-55, 57-58, 62-65, and 68-69 under 35 U.S.C. 103(a) as being unpatentable over U.S Patent 6,064,979 of Perkowski ("Perkowski") in view of U.S. patent 6,197,383 of Henson ("Henson").

It is respectfully submitted that the cited references, alone or in combination, do not teach or suggest the elements of the claims. Claim 1, as amended, provides:

1. A method for determining part replacement related information by an end user, comprising:
 - obtaining an associated identifier of a first part;
 - automatically coupling by a scanner interface the identifier of the first part to a network enabled browser;
 - automatically retrieving by the browser from a remote database replacement related information for the first part;
 - determining a replacement dependency between the first part and a second part that should be replaced along with the first part;
 - automatically retrieving by the browser from the remote database, based at least in part on the determined replacement dependency, replacement related information for the second part; and

automatically displaying by the browser for the end user the retrieved replacement related information for the first part.

As has been discussed in prior responses, claim 1 provides for determination of a replacement dependency, “automatically retrieving by the browser from a remote database replacement related information for the first part”. Claim 1 further provides for a determination regarding replacement of an additional part, “determining a replacement dependency between the first part and a second part that should be replaced along with the first part”. It is submitted that the references do not address these elements, or similar elements in the other rejected claims. It is submitted that the references in fact contain no teaching regarding replacement parts and are not relevant to these elements.

Perkowski relates to a system for finding and serving consumer related information. The Office action refers to Figures 1-6 and columns 5 and 6 to show that “Perkowski teaches that a product number can be scanned using a barcode scanner by the user to obtain product service and general information for maintenance, etc.” However, Perkowski is concerned only with general information regarding products and services that have been purchased, not replacement parts. Perkowski does provide that an information sub-field may include:

a Product Warranty/Service Information Field for storing information representative of URLs pointing to information on the Internet relating to warranty, extended warranty offerings, servicing and maintenance of the product;

(Perkowski, col. 12, lines 37-41) Further, information resources that may be addressed are described as follows:

Such information resources can include advertisements, specifications, operation descriptions, product simulations, purchase information, maintenance information, warranty and servicing information, product updates, distributor information, incentives (e.g. discounts, rebates, coupons, etc.), electronic data transaction screens, etc.

(Perkowski, col. 19, lines 17-23) These very general references to maintenance do not provide any teaching regarding the elements of claim 1 relating to the replacement of parts.

The current Office Action acknowledges that Perkowski fails to teach “dependency checking to find a second part that should be replaced along with the first part”. The Office Action then suggests a combination of Perkowski and Henson. However, it is submitted that Henson also fails to teach the element at issue. Henson provides for a system to configure machines on an Internet site. In this regard, Henson does provide for suggesting additional related items for sale in connection with an item. For example, the reference refers to cross-checking of a combination of options, which is a determination of whether or not a particular combination of options can be physically built. (Henson, col. 8, lines 34-44) However, this concerns a different issue based on different data. Henson concerns the build up of a newly ordered machine, in which the server simply needs to determine whether certain options are required together in the construction of the machine. Claim 1 relates to a part failure, and determination of replacement dependencies for the part. The need to replace another part is a different question that may relate to issues of proper maintenance, safety, and other matters, which are issues that are not necessarily even known at the time of construction.

In addition, even assuming that Henson is relevant to the elements of the claims, there is no motivation for combining Perkowski and Henson. The Office Action indicates that “[o]ne would be motivated to do so to provide detailed information on a product selected”. However, this is not supported by the references, and further does not relate to the element at issue, which is the determination of a relationship between a first part with a second part. Perkowski relates to a general source of information regarding a product, but does not teach or suggest anything regarding part replacement. The only statements in Perkowski regarding maintenance are statements indicating that maintenance or service information possibly may be included. Henson deals with the sale of machines, but does not relate to the replacement of a part, or any maintenance matters. While Henson suggests the relationship of one option with another option, there is no nexus to connect this concept with anything in Perkowski. The Office Action attempts to utilize Henson with regard to replacement dependency, but in fact neither reference addresses this issue. There is nothing in Perkowski to suggest a motivation regarding the options cross-checking in Henson because Perkowski has no relation to the build-up of machines. Similarly, there is nothing in Henson to suggest a motivation regarding the product information discussed in Perkowski, which is unrelated to the subject matter of Henson. Thus, Perkowski and Henson are unrelated patents, and, even if these references illustrated the elements of the claims, there would be no motivation for combining them.

It is submitted that the arguments presented above also apply to rejected independent claims 11, 20, 23, 25, 31, 54, and 63. The remaining rejected claims are dependent claims and are allowable as being dependent on the allowable base claims.

Claim Rejection under 35 U.S.C. §103

Perkowski in view of Henson and Gottsman, et al.

The Examiner rejected claims 3-6, 13-17, 24, 28-30, 36-42, 48-51, 56, 59-61, and 66-67 under 35 U.S.C. 103(a) as being unpatentable over Perkowski in view of Henson, further in view of U.S. Patent 6,134,548 of Gottsman, et al. ("Gottsman").

In addition to other differences, it is submitted that Gottsman does not contain the elements that were shown above to be missing from Perkowski and Henson, and thus does not add anything substantive to the matters at issue here.

Gottsman relates to web-based comparison shopping. Specifically, Gottsman provides for querying the Internet for price, shipping, and availability information regarding a product. Gottsman does not contain any teaching or suggestion regarding retrieving replacement related information for part. Gottsman further does not contain any teaching or suggestion regarding the determination of a replacement dependency between the part and additional part that should be also be replaced.

Therefore, the cited references, together or separately, do not teach or suggest the elements of the independent claims presented herein. The remaining rejected claims are dependent claims and are allowable as being dependent on the allowable base claims.

Conclusion

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

The Applicant respectfully petitions for a three-month extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a). A check in the amount of \$930.00 is provided for the fee under 37 C.F.R. § 1.17 for such an extension.

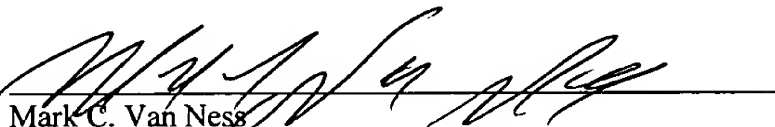
Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 8/27/04


Mark C. Van Ness
Reg. No. 39,865

12400 Wilshire Boulevard
7th Floor
Los Angeles, California 90025-1026
(303) 740-1980